

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION
AND "PRIOR" PATENTS**

**Docket No.
00322.0008.CPUS01**

In re Application of: Weber, *et al.*

Application No.: 10/753,069

Filed: January 8, 2004

For: Systems and Methods for Trading Actively Managed Funds

The owner NYSE Alternext US LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the on the instant application **which would extend beyond Application Number 12/198,003 filed August 25, 2008 and Application Number 09/815,589 filed March 23, 2001** the expiration dates of the full statutory terms of **prior patent numbers 7,571,130, 7,305,362, 7,099,838, and 6,941,280** as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patents granted on said on reference applications may be shortened by any terminal disclaimers filed prior to the grant of any patent on the pending reference applications and as the terms of said prior patents are presently shortened by any terminal disclaimers. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that said prior patents and any patent granted on the reference applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

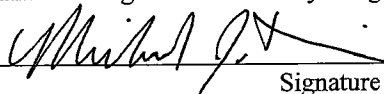
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 45,429


Signature

November 6, 2009
Date

Michael J. Stimson

Typed or printed name

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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